IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 8TH FEBRUARY 2007 / '9TH MAGHA 1928

WP(C).No. 4351 of 2007(R)

PETITIONERS:
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1. SR.(DR.) KARUNA, PRINCIPAL,
B.C.M. COLLEGE, KOTTAYAM.

2. MANAGER,
B.C.M. COLLEGE, KOTTAYAM.

BY ADV. SRI.BABY ISSAC ILLICKAL

RESPONDENTS:
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1. THE PRINCIPAL SECRETARY TO GOVERNMENT
HIGHER EDUCATION DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM.

2. MAHATMA GANDHI UNIVERSITY,
REPRESENTED BY ITS REGISTRAR,
PRIYADHARSHINI HILLS P.O.,
KOTTAYAM.

R1 BY GOVERNMENT PLEADER (SHRI A. J. VARGHESE)
R2 BY SHRI V.A. MUHAMMED, SC, MG.UTY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 4351 OF 2007 R

Dated this the 8th February, 2007

JUDGMENT

Heard the learned counsel appearing for petitioners and the learned standing counsel appearing on behalf of the second respondent University. Complaint of petitioners is that the first petitioner is duly appointed as Principal of the B.C.M. College and it was duly communicated to the second respondent University. But, the University did not grant approval of the appointment. There is no reason to deny approval, it is stated. First petitioner is duly qualified, is the case of the petitioners. Second petitioner's College is a minority Institution and it is entitled to appoint any qualified person as Principal, it is stated. Reliance is placed on the decision of the Apex Court in Secretary, Malankara Syrian Catholic College v. T. Jose & Others ((2007) 1 SCC 386).

The Writ Petition is disposed of directing the second respondent University to take a decision in regard to approval of

appointment of first petitioner as per Ext.P2, in accordance with law, within a period of one month from the date of receipt of a copy of this Judgment.

K. M. JOSEPH, JUDGE

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